

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

RICK HARRISON, JOHN BUCKLEY III,
MARGARET LOPEZ, ANDY LOPEZ,
KEITH LORENSEN, LISA LORENSEN,
EDWARDS LOVE, ROBERT MCTUREOUS,
DAVID MORALES, GINA MORRIS,
MARTIN SONGER, JR., SHELLY SONGER,
JEREMY STEWARD, KESHA STIDHAM,
AARON TONEY, ERIC WILLIAMS, CARL
WINGATE, AND TRACY SMITH, as Personal
Representative of the Estate of Rubin Smith,

Plaintiffs,

vs.

THE REPUBLIC OF SUDAN,

Defendant,

vs.

BNP PARIBAS,

Respondent.

Case No. 1:13-cv-03127 (AT)

**[PROPOSED] TURNOVER ORDER
AGAINST BNP PARIBAS**

AND NOW, this ____ day of _____, 2013, upon Plaintiffs' Petition for Turnover Order Against BNP Paribas Pursuant to 28 U.S.C. § 1610(g), CPLR § 5225(b) and Federal Rule of Civil Procedure 69(a), the Motion is GRANTED. The Court hereby finds and orders as follows:

1. Plaintiffs obtained a judgment in the District Court for the District of Columbia in the amount of \$314,705,896, plus interest (the "Judgment"), and the entire principal amount of the Judgment remains unsatisfied.

2. Funds held at BNP Paribas are subject to execution and attachment under the Foreign Sovereign Immunities Act because the owners of the funds are agencies and

instrumentalities of the Republic of Sudan.

3. [REDACTED], also known as [REDACTED], is an agency and instrumentality of the Sudanese government. The following accounts, totaling [REDACTED], plus accrued interest, are subject to execution to satisfy the Plaintiffs' outstanding judgment:

<u>Respondent Bank</u>	<u>Account Beneficiary</u>	<u>Blocking Date</u>	<u>Value</u> (as of June 30, 2012)
BNP Paribas	[REDACTED] [REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED] [REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED] [REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED] [REDACTED]	[REDACTED]	[REDACTED]

4. [REDACTED] is an agency and instrumentality of the Sudanese government. The following accounts, totaling [REDACTED], plus accrued interest, are subject to execution to satisfy the Plaintiffs' outstanding judgment:

<u>Respondent Bank</u>	<u>Account Beneficiary</u>	<u>Blocking Date</u>	<u>Value</u> (as of June 30, 2012)
BNP Paribas	[REDACTED] [REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED] [REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED] [REDACTED]	[REDACTED]	[REDACTED]

BNP Paribas			

5. [REDACTED] is an agency and instrumentality of the Sudanese government. The following accounts, totaling [REDACTED], plus accrued interest, are subject to execution to satisfy the Plaintiffs' outstanding judgment:

<u>Respondent Bank</u>	<u>Account Beneficiary</u>	<u>Blocking Date</u>	<u>Value</u> (as of June 30, 2012)
BNP Paribas	[REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED]	[REDACTED]	[REDACTED]

6. [REDACTED], formerly known as [REDACTED], is an agency and instrumentality of Sudan. The following account, totaling [REDACTED], plus accrued interest, are subject to execution to satisfy the Plaintiffs' outstanding judgment:

<u>Respondent Bank</u>	<u>Account Beneficiary</u>	<u>Blocking Date</u>	<u>Value</u> (as of June 30, 2012)
BNP Paribas	[REDACTED]	[REDACTED]	[REDACTED]

7. [REDACTED] is an agency and instrumentality of Sudan. The following accounts, totaling [REDACTED], plus accrued interest, are subject to execution to satisfy the Plaintiffs' outstanding judgment:

<u>Respondent Bank</u>	<u>Account Beneficiary</u>	<u>Blocking Date</u>	<u>Value</u> (as of June 30, 2012)
BNP Paribas	[REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED]	[REDACTED]	[REDACTED]

8. [REDACTED] is an agency and instrumentality of Sudan. The following accounts, totaling [REDACTED], plus accrued interest, are subject to execution to satisfy the Plaintiffs' outstanding judgment:

<u>Respondent Bank</u>	<u>Account Beneficiary</u>	<u>Blocking Date</u>	<u>Value</u> (as of June 30, 2012)
BNP Paribas	[REDACTED] [REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED] [REDACTED] [REDACTED]	[REDACTED]	[REDACTED]
BNP Paribas	[REDACTED] [REDACTED] [REDACTED]	[REDACTED]	[REDACTED]

9. The Court hereby directs BNP Paribas to turn over the proceeds of foregoing accounts, totaling [REDACTED], together with any accrued interest, to the Plaintiffs within ten (10) days from the date of this Order.

10. An OFAC license is not necessary to disburse these funds and no notice is necessary to the Sudanese agencies and instrumentalities. *See Heiser v. Bank of Tokyo Mitsubishi UFJ, New York Branch*, 919 F. Supp. 2d 411, 422 (S.D.N.Y. 2013); *Heiser v. Islamic Republic of Iran*, 807 F. Supp. 2d 9, 23 (D.D.C. 2011); *Weininger v. Castro*, 432 F. Supp. 2d 457

(S.D.N.Y. 2006).

11. This Order enforces a duly registered District Court judgment from the District of Columbia, recognized by a New York Federal Court and given full faith and credit by this Court.

So ordered,

, J.

Date: October ___, 2013